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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of

**APPEAL NO. 2004-0472**

WILSON et al.

Atty. Ref.: 117-347

Serial No. 09/787,633

Group: 1635

Filed: July 10, 2001

Examiner: Angell

For: TREATMENT OF INFECTION

\* \* \* \* \*  
July 19, 2004Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

VIA FACSIMILE: 703-308-6200

Sir:

**RESCISSION OF CONFIRMATION OF HEARING ATTENDANCE/**  
**WAIVER OF HEARING ATTENDANCE**

The appellants hereby rescind the Confirmation of Hearing Attendance filed via facsimile on April 27, 2004 (copy attached) and waive attendance at the Oral Hearing requested August 28, 2003.

A favorable Decision on the merits of the papers before the Board is requested.

The Office is requested to advise the undersigned in the event anything further is required.

**Nixon & Vanderhye PC.**

ATTORNEYS AT LAW

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FACSIMILE: (703) 816-4100  
WRITER'S DIRECT DIAL NUMBER:  
**(703) 816-4091**

***FACSIMILE COVER SHEET***  
**PLEASE DELIVER IMMEDIATELY!!!!**

Our Ref.: 117-347  
Your Ref.: Appln No. 09/787,633 Date: July 19, 2004  
Appeal No. 2004-0472

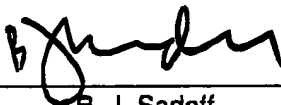
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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper and any noted attachments are being facsimile transmitted to the Patent and Trademark Office on July 19, 2004.



B. J. Sadoff

**ATTACHMENT/S: RESCISSION OF CONFIRMATION OF HEARING ATTENDANCE/  
WAIVER OF HEARING ATTENDANCE, copy of Notice of Hearing, facsimile cover and  
facsimile receipt of April 27, 2004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
In re Patent Application of			
WILSON et al.		Atty. Ref.:	117-347
Serial No.	09/787,633	Group:	1635
Filed:	July 10, 2001	Examiner:	Angell
For:	TREATMENT OF INFECTION		

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Appeal No. 2004-0472

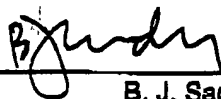
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B. J. Sadoff

**ATTACHMENT/S: Notice of Hearing**

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WILSON et al.		Atty. Ref.:	117-347
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Filed:	July 10, 2001	Examiner:	Angell
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117-347

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Paper No: 29

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B. J. Sadoff  
Nixon & Vanderhye, PC  
1100 N. Glebe Road  
8th Floor  
Arlington, VA 22201-4714

Appeal No:  
Appellant:  
Application No:  
Hearing Room:  
Hearing Docket:  
Hearing Date:  
Hearing Time:  
Location:

2004-0472  
Robert J.M. Wilson et al.  
09/787,633  
B  
A  
Thursday, July 29, 2004  
1:00 PM  
Room 12C07  
CRYSTAL GATEWAY 2  
1225 Jefferson Davis Highway  
Arlington, VA 22202

DATES DOCKETED  
HEARINGS 2004  
DUE JUL 29, 2004  
C/U JUL 29, 2004  
7/1/04

## NOTICE OF HEARING

## CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 1.194(a).

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

## CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

BPAI HEARINGS FAX No:

(703) 308-6200

USPTO Central Fax No.

(703) 872-9308

BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES

UNITED PATENT AND TRADEMARK OFFICE

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-11450

Paralegal Specialist

Dianne E. Maggard

(703)-305-4673

DATES DOCKETED  
CONFIRMATION HEARINGS 2004  
DUE APR 27, 2004  
C/U APR 29, 2004  
4/30/04

MAILED

APR - 6 2004

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

CHECK ONE:

☒ HEARING ATTENDANCE CONFIRMED

☐ HEARING ATTENDANCE WAIVED

B. J. Sadoff *B. J. Sadoff*  
Signature of Attorney/Agent/Appellant

4/27/2004

Date

36,663

Registration No.

NIXON &amp; VANDERHYE PC4 Fax:703-816-4100

**\*\* Transmit Conf. Report \*\***

P.1

Apr 27 2004 14:18

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**WILSON et al.**

**Serial No. 09/787,633**

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



B. J. Sadoff

Reg. No. 36,663

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